

**BOIS DE SIOUX WATERSHED DISTRICT  
BOARD MEETING MINUTES  
January 16, 2025**

**CALL TO ORDER** The meeting was called to order by President Vavra at 9:00 a.m. Present in the District Office: Linda Vavra, Ben Brutlag, Doug Dahlen, Steven Deal, Scott Gillespie, Steven Schmidt, and Allen Wold. Absent: Jason Beyer, John Kapphahn. Also present: District Engineer James Guler, Engineer Chad Engels, Engineer Technician Troy Fridgen, District Attorney Lukas Croaker and Administrator Jamie Beyer.

**AGENDA** Upon motion by Wold, seconded by Dahlen and carried unanimously, the following items were added to the agenda: GCD #29 Landowner meeting and Claims of \$660.00 and \$255.00 to Ohnstad Twichell and Whaley Excavating.

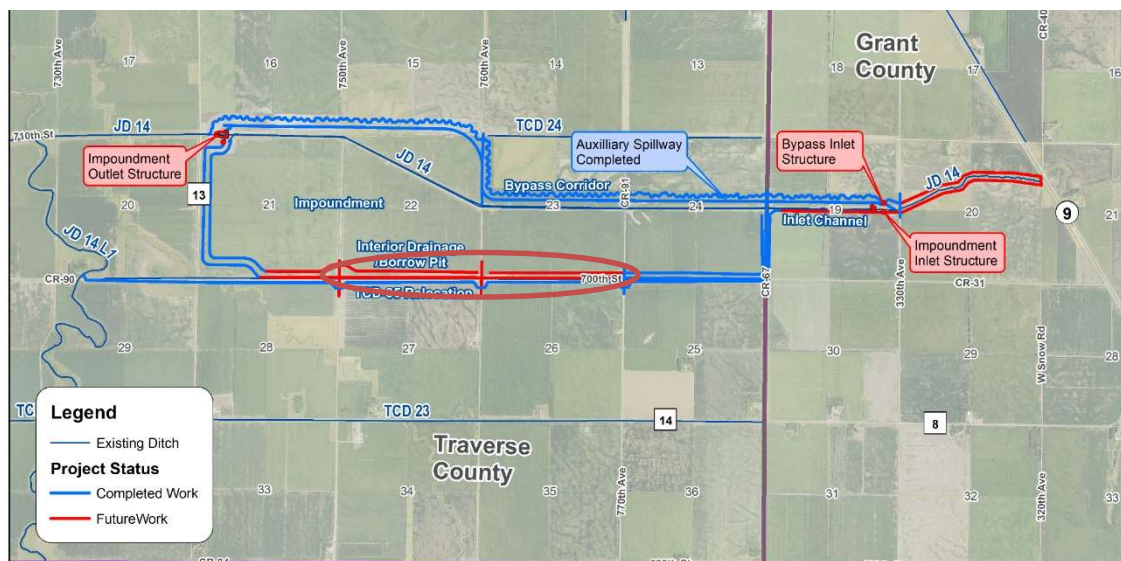
**CONSENT AGENDA** Upon motion by Wold, seconded by Dahlen and carried unanimously, the Consent Agenda was approved.

**PUBLIC COMMENT** No public comment.

**REDPATH PH. 2B PAY APP. NO. 8** Upon motion by Dahlen, seconded by Gillespie and carried unanimously, Pay Application #8 to John Riley Construction, Inc. was approved in the amount of \$1,530,457.50. District Engineer James Guler presented options for the extents of Phase 3A construction, demonstrating construction that has been completed and construction left to complete. Without an active Flood Hazard Mitigation grant, the District could sell 115 acres in Section 15 of Redpath Township to finance portions of the project; funds will be matched by the Red River Water Management Board, and both would be recognized in the future to match with MN Flood Hazard Mitigation grant funds. Attorney Lukas Croaker presented draft Land Offer Terms and Conditions. Board managers discussed a land offer deadline ahead of the February board meeting, a requirement to maintain an agriculture use for the land for a 10-year period and potential advertisement methods. Administrator Beyer will contact Traverse FSA to find out how the new owner's CRP payment could be prorated. Upon motion by Gillespie, seconded by Schmidt and carried unanimously, the Terms and Conditions were approved and staff were authorized to: post three weeks' of newspaper and KFGO ads; and post a physical "for sale" sign on the land.

**REDPATH LAND OFFER** Upon motion by Gillespie, seconded by Dahlen and carried unanimously, staff are authorized to assemble and submit a \$3,000,000 Redpath Phase 3A updates to permitting authorities, and to prepare and advertise corresponding bid documents. Phase 3A will consist of construction of the South Embankment, beginning near 770<sup>th</sup> Avenue and working west until the funds have been exhausted.

**REDPATH PH. 3 BUDGET**



**640<sup>TH</sup> AVE ROAD  
RAISE**

Attorney Lukas Croaker stated that no significant developments have occurred. Landowner representative Jonathan Mathias stated that he has been working on easement terms with his attorney.

**REPORT OF  
BUFFER  
NON-COMPLIANCE**

Administrator Beyer stated that on December 31, 2024, the District received a list of non-compliant landowners from Traverse Soil and Water Conservation District (SWCD) staff. Non-compliance was determined by their staff based on 2022 imagery and May 6, 2024 site visits. Of the 33 parcels reported to the Bois de Sioux Watershed District, 14 parcels (9 sets of landowners) were for compliance with 16.5' buffers on legal drainage systems, which is under the jurisdiction of the Bois de Sioux Watershed District. No communication has been made with landowners by SWCD staff since the date of inspection and findings of non-compliance. Staff recommend that the applicable 14 parcels be reviewed prior to issuance of corrective action notices by the District, based on the following preliminary findings:

- The May 6, 2024, site visit date is problematic since we were in the middle of a period of spring flooding (not from snow but, from excess rainfall), that was immediately followed by a prolonged drought. The District has been working with one landowner who had difficulty establishing and keeping new grass alive following the flood-drought growing season. Staff recommend that the District verify the condition of the buffers presently, if (or when) a lack of snow cover allows.
- Of the 14 parcels, 7 parcels reported are geographically located at the most upstream end of the legal drainage system, where a small portion of the full parcel abuts the legal drainage system, and it is not clear where the legal extent of the drainage system/buffer requirement begins.
- Of the 9 sets of landowners, District staff worked with one landowner in 2024 to implement alternative practices.
- Alternative practices may have been installed without notice to SWCD staff. For example, participation in Minnesota's Agricultural Water Quality Certification Program serves as an alternative practice; staff will confirm instances where an alternative practice has been implemented.
- At least one parcel had an established buffer disturbed during a ditch clean-out managed by the District; District staff have initiated buffer planting replacement with SWCD staff.

**CORRECTIVE  
ACTION NOTICES**

Upon motion by Dahlen, seconded by Gillespie and carried unanimously, staff are authorized to issue corrective action notices to landowners per the terms described in Section 7.4 of the District's Rule for parcels that are found to be non-compliant after the above current buffer conditions, legal extents, and alternative practice implementation are considered. Administrator Beyer stated that the corrective action notices require buffer/alternative practice installation within 11 months; following that time, instances of continued non-compliance are forwarded to the respective county attorney.

**AREA 3  
DITCH  
INSPECTIONS  
& GRANT COUNTY  
DITCHES**

Engineer Technician Troy Fridgen presented legal drainage systems proposed for inspection in 2025 (Area 3). Board Managers discussed how the newly acquired Grant County ditches will be worked into the District's Ditch Inspection Program. Engineering staff will review dates of last inspection and put together a prioritized list for consideration at the February board meeting. Upon motion by Gillespie, seconded by Dahlen and carried unanimously, Area 3 drainage systems are authorized for inspection in 2025.

**GCD #29 REPAIRS**

Engineer Technician Troy Fridgen stated that he has been made aware of several repairs that need to be made within GCD #29. Upon motion by Gillespie, seconded by Dahlen and carried unanimously, staff are authorized to hold a landowner meeting.

**FEBRUARY BOARD  
MEETING MOVED**

Upon motion by Dahlen, seconded by Schmidt and carried unanimously, the February 20<sup>th</sup> board meeting was moved to February 25<sup>th</sup>.

**PROPERTY TAX  
EXEMPTIONS**

Upon motion by Schmidt, seconded by Dahlen and carried unanimously, the property tax exemptions for taxes payable in 2026 were approved as presented.

**END OF YEAR  
JOURNAL ENTRIES**

Upon motion by Wold, seconded by Gillespie and carried unanimously, the 2024 end of year journal entries were approved as presented.

**PAY EQUITY REPORT**

Upon motion by Gillespie, seconded by Dahlen and carried unanimously, the District’s Pay Equity report was approved for submission.

**2025 PROJECT LIST**

Board Managers and staff reviewed and updated the 2025 Project List:

	<u><b>103E Ditches</b></u>	<u><b>103D Watershed Projects</b></u>
2024 Construction Carryover		Redpath & Mustinka Ph. 2B
2025 Final Development & Construction	GCD #21 GCD #3 JD #11, Lat 4 TCD #27	Redpath Ph. 3A 640 <sup>th</sup> Ave Road Raise (funding only)
2025 Prelim. Development	GCD #8 Fish Barrier Removal	Doran Creek Enhancement Moonshine Lakebed Impoundment Twelvemile Creek Studies Bylaw, Rule, Permitting Update

**DISTRICT BYLAWS RULES & POLICIES UPDATE EFFORT**

Administrator Beyer presented a sample schedule coordinating the update and adoption of revised District Bylaws, Policies & Rules. Board Managers discussed whether this effort be included in regular board meeting agendas, or scheduled for separate topic-focused meetings. Board Managers requested the latter.

**2025 LEGAL & ENGINEERING RATES**

Board Managers reviewed 2025 engineering and legal services rates. Upon motion by Dahlen, seconded by Schmidt and carried unanimously, the Moore Engineering 2025 rates were approved. Upon motion by Dahlen, seconded by Schmidt and carried unanimously, the Ohnstad Twichell 2025 rates were approved.

**GCD #3 UPDATE**

Construction bids were received and opened for the Repair of GCD #3. Attorney Lukas Croaker will review the sufficiency of the documents provided before the District declares an apparent low bidder.

**GCD #21 & GCD #3 ROW**

District Engineer James Guler stated that GCD #21 Improvement plans will be submitted for Wetland Conservation Act permitting. Board Managers discussed the risk of potential permitting delays and impacts to planting/harvest for the construction footprint for GCD #3 and GCD #21 construction. Staff are authorized to begin easement acquisition, staking and landowner notification.

**GCD #21 UPDATE**

Upon motion by Dahlen, seconded by Gillespie and carried unanimously, the meeting was closed at 11:30 am pursuant to Minn. Stat. § 13D.05, subd. 3(b) – attorney-client privilege, to discuss the Notice of Appeal dated September 25, 2024 on behalf of James K. and Charlene R. Nelson regarding Grant County Ditch No. 21 Redetermination, Improvement, and Separable Maintenance.

Upon motion by Gillespie, seconded by Brutlag and carried unanimously, the meeting was opened at 12:17 pm. No action was taken following the closed meeting.

The meeting was adjourned.